1

CLASS B

AFD 246 PST 58.

App. F IX—4

19 58

File No.

Serial Nos.

Previous References.

A. V. Defs

Later References.

Forest. Ag

THE MYSORE GOVERNMENT SECRETARIAT

Serial Nos. -

~~FOR~~/NOT FOR NOTE BOOK
UNDER SECRETARY

Under Secretary to Govt.

Forest
24/8/58

28/2/62

Part B for

SUBJECT

Grant of land

to H.S. Wat wats.

WD 96298—GPB—2,00,000—1-5-61

A
1/4/64

ಎಸ್. ನಾರಾಯಣಸ್ವಾಮಿ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ

Serial No.

AFD 246 DST 58

Sub:- Grant of land in RS No. 190 of Arakeri for cultivation to Shri Hanumantappa Siddamappa Watawati,

D No. 9619/22-8-58 } Put for perusal.
9538/19-8-58 }
Minutes of the M (Agr.)
& CCF for remarks.

1 An endt to the CCF is put up for approval.
WS 24/8/58

2 Issue and intimate to DS
SO Auth
26-8-58

D No. 13459/58.

3 The CCF has not recommended the grant of land to the petitioner as ~~the~~ he has not fulfilled the conditions of agreement and the Bombay Govt have already examined the case and rejected the request of the petitioner. Under the circumstances, the request may be rejected. An endt to the party is put up for approval.
WS 20/12

SO Auth
2-1-59

4 Men be rejected
Sec
8/1 DS

5 Minister (A & F) 7/1

6) Issue SO Auth
13-1-59

7) The RS wanted this file
DM. Seen action with the petition
14/1

P.S. to Min.

OFFICE OF THE MINISTER FOR AGRICULTURE
No. P-897
7 JAN 1959
BANGALORE

AGRICULTURE & FOREST SECRETARY
No. 200
12 JAN 1959
GOVERNMENT OF MYSORE

Note.—Contn. Sheet

8) It seems that subsequently I had stayed the implementation of the order of 11/1/59 and wanted to visit the site before final eviction. I have not yet been able to visit the site yet. C.F. Belgaum may be asked to visit the site personally and report early. Stay may be given till that time.

14/5

D. 4678 & 4679 dt 14.5.59 is for perusal.

9) The draft put up 25th refs. to M(Agri) is on orders above may issue.

14/5/59

10) 14/

Sus
15/5

11) Reminder is for approval.

28/9

12) 29/4

Issued on 30 SEP 1959

D. No. 11898 of 15-XII-1960.

13) Letter No. B3-282-1507/59 of 13-12-60 from the C.F.

14) Pud is for perusal. C.F has sent a copy of C.F's letter along with the records and

Serial No.

has stated that he has no objection to the grant of the area as an "Inferior Settlement plot". But for defying the G.O. all along, the party may be made to pay a fine of Rs. 500/- in lieu of requiring orders of Govt.,

Subd., for order.

3/12/61

15) The proposals of the C.C.F may be approd. R.D. may also see.

3/4/14

R D

2.12.61

R.D.

16) In the circumstance stated by the Conservator of Forests, Belgaum Circle in his letter dt. 22-10-1960, R.D. has no objection to grant the land to the applicant. As regards the fine of Rs. 500/- as suggested by the C.C.F. it is a matter to be considered by the A&F. Dept.

8/12/61 13/12/61 13/12

17) In view of para 16 n/f, R.D. has no objection for the release of the land. But as regards the fine imposed as

GOVERNMENT SECRETARIAT No. 15 7 DEC 1961 REVENUE BRANCH.

Office of the Registrar R.D. Date 4 DEC 1961 No. T

File No. 246 DST of 1958

Mysore Government Secretariat

Serial No.

Suggested by the CCF in his letter of 15-12-60, it is for consideration.

OR Submd. for orders.

15/12/60

18. As directed in paragraph 8 supra, the CCF was requested in G.E. of 14.5.1959 (p.35/c) to submit a detailed report regarding the request of Shri Watwati for the grant of 16 acres of land in Forest Plot No 190 of Arkeri in Bijapur District after the area was actually inspected by the Conservator of Forests Belgaum Circle. In submitting his report accordingly, the CCF recommends (p.37/c) that the area be granted to Shri Watwati as an inferior Settlement plot on recovery of a fine of Rs 500/- from the applicant. The RD has no objection to the course suggested by the CCF (para 57 supra). We may accept the recommendation of the CCF and issue orders accordingly.

(19) 29/1/62. 26/1/62

M (Forests)

(20) 2/2 (21) 3/2

(22) 3/2.

23) Off h.o. is put up for approval.

Issue

OR 13/2 24/2

p.53 C/F

Issued on 28 FEB 1962

DEPUTY SECRETARY TO GOVT. AGRICULTURE & FOREST DEPTT. No. 242 29 JAN 1962

OFFICE OF THE MINISTER FOR FORESTS No. 2287 29 JAN 1962

AGRICULTURE & FOREST SECRETARY GOVERNMENT OF MYSORE No. 647 3 FEB 1962

WD-010154—GPB—PZS—8,00,000—1-11-61

File No.

6

Below petition No. Dated 7-8-1958
Application

x to be returned

From Shri Hanamantappa Siddramappa Walawali of Janamatti Tal Bagalkot Req Request for grant of land in R.S. 190 of Askeri for cultivation.

No. AFD 246 DST 58

AGRICULTURE & FOREST DEPARTMENTS

(Forest & Animal Husbandry Branch)

Dated, 28-8-1958

Forwarded with compliments to the Chief Conservator of Forests in Mysore, Bangalore ~~Director of Animal Husbandry and Veterinary Services in Mysore, Bangalore~~, for favour of disposal. remarks. report.

By order and in the name of the Governor of Mysore,

S.V. Pathe

Deputy Secretary to Government,
Agriculture & Forest Department.

Case d 28/8/58

rln.

24/8/58

7/7

GOVERNMENT OF MYSORE

Mysore Government Secretariat,
VIDHANA SOUDHA,

No AF.224.OCT 53.

Bangalore, dated 15 Octr. 1953.
Aswayuja 25 Saka Era 1330.

ENDORSEMENT

Notification.

In exercise of the powers conferred by Sub Section(1) of Section 27 of the Indian Forest Act 1927 (XVI of 1927) as in force in the Bombay area, the Government of Mysore Hereby directs that the portion of the reserved forest specified in schedule below which in the Bombay Government notification No. S.35/4/27863-J of 22-5-53 (Bombay Government Gazette 28-5-53 page Nos.3194-3195) was declared to be reserved forest shall cease to be reserved forest from the date of issue of this notification.

Schedule.

Village.	S.No.	Area. A. G.	Boundaries.	
Kisuri.	3	1 - 7	North.	3 part.
			South.	3 part 6 & 7
			East.	3 part & 6
			West.	3
-Do-	3	0 - 20	North.	3 part
			South.	3 part
			West.	5
			East.	Village boundary of Melligeri village (S.No.178 of Melligeri).
Melligeri.	178.	9 - 0	North.	178 part & 1. part.
			South.	- do -
			East.	S.No.1 part & 9.
			West.	village boundary of Kisuri (S.No.3 of Kisuri).
- do -	1	4 - 8	North.	S.No.1 part.
			South.	Village site of Melligeri part of S.No.1
			East.	S.No.1 part & 9
			West.	S.No.178.

A. To be printed in the monthly proceedings in extenso.
B. To be kept in personal records (standing orders).

By Order and in the name of the Governor of Mysore,

Sd/-
(H.L. Lingaraj Urs)
Deputy Secretary to Government,
Agriculture & Forest Department.

To
The Compiler, Mysore Gazette, B'lore, J.3/1716 for publication in Gazette.

Copy to:- 1. The Divisional Commissioner, Belgaum, for information, with ref.to his No. GB/FORSR-161 of 25-6-53.
2. The Chief Conservator of Forests in Mysore, B'lore, for information.
3. The Deputy Commissioner, Bijapur, for information, with ref.to his letter No. FAD-SR-799, dated 9-6-53.
4. The Weekly Gazette (four copies).

(H.L. Lingaraj Urs)
Deputy Secretary to Government,
Agriculture & Forest Department.

LV/15.10.

AFD 246 DST55
8/11
3/45

MYSORE GOVERNMENT SECRETARIAT
NO. 9619
22 AUG 1958
ANIMAL HUSBANDARY & FOREST BRANCH

OFFICE OF THE MINISTER FOR AGRICULTURE
No. 576
20 AUG 1958
BANGALORE

TO

The Honourable Minister.,
For Agricultural and Forest.,
Government of Mysore,
at Bangalore.

Subject:- Application against the order issued by the Round Forest Officer - Bilgi to vacate Forest plot No. 190 of Arakeri.

Forwarded w/c to the Minister for Agriculture, Bangalore
Speaker
19/8

Respected Sir,

I, Hanumantappa Sidramappa Watawati, of Janamatti, Taluka Bagalkot, District - Bijapur, beg to write the following few lines for your kind and sympathetic - consideration. I am a permanent resident of the village Janamatti in Bilagi petha. I am following agriculture since the days of my ancestors. The forest plot No. 190 situate within the limits of Arakeri village and measuring 16 acres in extent was given to my brother-in-law Neelappa Girimallappa Dhavali on payment of annual assessment of Rs. 8-00. The plot was given by the Forest Department in or about the year 1942. The plot was then full of big stones and thorny shrubs. We had to spend a huge sum of Rs. 5-6 thousnads for removing the stones and uprooting the - thorny shrubs and to bring the plot under cultivation. We have put up four bunds in the land at considerable distances from each other.

AGRICULTURE & FOREST SECRETARY
866
20 AUG 1958
GOVERNMENT OF MYSORE

CCR for remarks
Secy (AF) 19/8

2. I and my brother-in-law Neelappa were living in one and the same house and as members of one and the same family. Neelappa was an old man and so, I was cultivaing the plot though the lease was formally in his name. Neelappa left our place about 6-7 years ago and since then his - where abouts are not known. There after, the lease was transferred in my name about 6 years back. I have been paying the assessment of the land from the beginning.

3. My family consists of 11 members and I maintain an agricultural establishment of six bullocks. I own stray cattle numebring 20. I own only 4 acres of land the income of which is quite insufficient for the maintenance of my family. Hence I had to take the above mentioned Forest plot from the Forest Department. To repeat I had to take a lot of pains and trouble and spend a lot of money in bringing the plot under cultivation.

4. Now an order has been issued by the Round Forest Officer, Bilagi, that I should vacate the land and give it in charge of the Forest Department. It has become difficult for me to know how such an order has been issued in respect of this plot only when two other plots are given to two other persons of my place on the same terms and conditions. No such order has been issued to the other two persons. The plot is given to me on Hangami Lavani on payment of Rs. 8-00 as assessment per year and not on agri-cum-forestry. I have planted about 50 trees in the land such as, Mango and Neem trees and other Jungle wood trees.

5. I need not bring to your honour's kind Notice that it has been the Policy of the Government during all these years to bring all lands under cultivation and grow more food to make our Nation self sufficient in food. That is why the Government is vigorously canvassing for growing more food. If the land which I have brought under cultivation at enormous cost and trouble, is snatched away from my hands much injustice would be done to me. I would - remain without source of maintenance. I, therefore humbly pray that the Government be pleased to disforest this plot in my favour and give the land permanently to me. Until, that is done, I further pray that the present lease may kindly be continued. For this Act of Kindness I shall ever remain faithful to your honour and to your Government.

I beg to remain Sir,
Your Most obediant servant.

Bagalkot.
7-8-1958.

Copies submitted with respect to:-

1. Chief Conservator of Forests Mysore, State. Bangalore.
2. Conservator of Forests. S.C. Belgaum.
3. The Sub-Divisional Forest Officer, Bagalkot.
4. The Collector of Bijapur.
5. Shri S.H.Kanthi, Honourable Speaker Legislative Assembly, Bangalore.

By Regd post No, 242

11

7/6-9

MYSORE GOVERNMENT SECRETARIAT
NO 9536
19 AUG 1958
ANIMAL HUSBANDARY & FOREST BRANCH

TO

The Honourable Minister.,
For Agricultural and Forest.,
Government of Mysore,
at Bangalore.

AGRICULTURE & FOREST SECTION
No 285
GOVERNMENT OF MYSORE

Subject:- Application against the order issued by the Round Forest Officer - Bilgi to vacate Forest plot No. 190 of Arakeri.

OFFICE OF THE MINISTER FOR AGRICULTURE
No. A-546
13 AUG 1958
BANGALORE

Respected Sir,

I, Hanumantappa Sidramappa Watawati, of Janamatti, Taluka Bagalkot, District - Bijapur, beg to write the following few lines for your kind and sympathetic - consideration. I am a permanant resident of the village Janamatti in Bilagi petha. I am following agriculture since the days of my ancestors. The forest plot No. 190 situate within the limits of Arakeri village and measuring 16 acres in extent was given to my brother-in-law Neelappa, Girimallappa Dhavali on payment of annual assessment of Rs. 8-00. The plot was given by the Forest Department in or about the year 1942. The plot was then full of big stones and thorny shrubs. We had to spend a huge sum of Rs. 5-6 thousnads for removing the stones and uprooting the - thorny shrubs and to bring the plot under cultivation. We have put up four bunds in the land at considerable distances from each other.

Seen A.F)

C.C.F for remarks
12/8

CCF

2. I and my brother-in-law Neelappa were living in one and the same house and as members of one and the same family. Neelappa was an old man and so, I was cultivaing the plot though the lease was formally in his name. Neelappa left our place about 6-7 years ago and since then his - where-abouts are not known. There after, the lease was transferred in my name about 6 years back. I have been paying the assessment of the land from the beginning.

3. My family consists of 11 members and I maintain an agricultural establishment of six bullocks. I own stray cattle numebring 20. I ~~have~~ own only 4 acres of land the income of which is quite insufficient for the maintenance of my family. Hence I had to take the above mentioned Forest plot from the Forest Department. To repeat I had to take a lot of pains and trouble and spend a lot of money in bringing the plot under cultivation.

4. Now an order has been issued by the Round Forest Officer, Bilagi, that I should vacate the land and give it in charge of the Forest Department. It has become difficult for me to know how such an order has been issued in respect of this plot only when ~~there are~~ two other plots are given to two other persons of my place on the same terms and conditions. No such order has been issued to the other two persons. The plot is given to me on Hangami Lavani on payment of Rs. 8-00 as assessment per year and not on agri-cum-forestry. I have planted about 50 trees in the land such as, Mango and Neem trees and other Jungle wood trees.

13

5. I need not bring to your honour's kind Notice that it has been the Policy of the Government during all these years to bring all lands under cultivation and grow more food to make our Nation self sufficient in food. That is why the Government is vigorously canvassing for growing more food. If the land, which I have brought under cultivation at enormous cost and trouble, is snatched away from my hands, much injustice would be done to me. I would remain without source of maintenance. I, therefore humbly pray that the Government be pleased to disforest this plot in my favour and give the land permanantly to me. Until, that is done, I further pray that the present lease may kindly be continued. For this Act of Kindness I shall ever remain faithful to your honour and to your Government.

I beg to remain Sir,

Your Most obedient servant.

Bagalkot.

7-8-1958.

Copies submitted with respect to:-

1. Chief Conservator of Forests Mysore, State. Bangalore.
2. Conservator of Forests. S.C. Belgaum.
3. The Sub-Divisional Forest Officer, Bagalkot.
4. The Collector of Bijapur.
5. Shri S.R.Kanthi, Honourable Speaker Legislative Assembly, Bangalore.

14 H/e M

No.B3-229-2098/58
En pelo

Chief Conservator's Office,
Bangalore, dated 9-12-58.

To

The Secretary to Government,
Agriculture and Forest Department,
Bangalore.

Sir,

Request to set aside the order of the Range Officer Bilgi to vacate Forest plot No.190 of Arkeri

Ref:-Your memo No.AFD 246 DST 58 dated 28-8-58.

I write to state that an area of 16 acres in F.S.No. 190 of Arkeri falling in coupe No.6 of F.S.No.IV Bagalkot Range was originally granted on Hangami lease for cultivation to one Sri Nellappa Dhavalgi in the year 1940-41. Subsequently the lease was transferred in the name of the actual cultivator Sri H.S.Watwati the present applicant during 1953 who was actually cultivating the land, the original lessee having left the place. At the time of executing the lease from the applicant in 1954, a condition was added to the effect that the lessee should plant neem and such other plants ~~as~~ to make up the maximum number of ten trees per acre. Since the applicant did not plant and rear trees as per the terms of the lease the area granted to him was recommended to be resumed. Accordingly the Government of Bombay in their No.O/17742-E of 15-3-55 (copy enclosed) rejected the request of the applicant to continue the lease of land. As the applicant failed to comply with these orders to vacate the area, necessary offence papers for the unauthorised occupation of the lands were drawn up and the offence papers were filed by the Sub Divisional Forest Officer, Bagalkot, by warning the lessee.

The grant of request of the party will actually amount to accepting the defiance of the Government order by the party and regularising an unauthorised occupation and this would encourage others also to do likewise. Hence I am of the opinion that the orders already passed by the Bombay Government in the matter may stand.

The application is retranmitted.

MYSORE GOVERNMENT SECRETARIAT
No.3459
16 DEC 1958
FOREST BRANCH

Yours faithfully,

(K.KADAMBI)
Chief Conservator of Forests.

AS/5/12.

Copy of endorsement No.O/17742-E dated 15th March 55 by the Govt. of Bombay to Sri Hanamappa Shidramappa Watawadi Sri Yemannappa B. Burli At Janmatti, Petha Bilgi, Dist. Bijapur.

Sub:-Forest land - continuance of lease in respect of - for cultivation.

In continuation of Government letter No.O/44300-J dated the 4th August 54 on the above subject, I am directed to state that your request for continuance of the lease of forest land at Arkeri for cultivation, cannot, it is regretted be granted.

--

M. G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(Continuation sheet draft form).

15 12/C 15

Sub:- Request to set aside the order of the R.F.O Bilgi to vacate Forest plot No 190 of Aekeri

Encl:-

No: AFD 246 DST 58: D 15/1/59 M/C

Ref:- Petition dated 7-8-58 on the above mentioned subject.

With ref to the above, the petitioner is informed that his request to set aside the order of the R.F.O Bilgi to vacate Forest plot No 190 of Aekeri, it is regretted, cannot be granted.

Issued 15/1/59

Cl Dy Secy
30/12/58

To

Shri Hanamantappa Siddappa Watawali At Janamatti Tal Bagalkot, Dist Bijapur

Copy forwd to the C.C.F Bangalore for information with ref to his letter No Ba-229-2098/58 dated 9-12-58.

WD 01788—GPB—PZS—100,000—20-2-58

16

17

GOVERNMENT OF MYSORE

Mysore Government Secretariat,

No. AFD.246. DST 58.

Dated, Bangalore, ...Jany. 1959.
Pushya Saka Era 1880.

ENDORSEMENT.

Sub:- Request to set aside the orders of the RFO Bilgi to vacate Forest Plot No.190 of Arkeri.

Ref:- Petition dated 7-8-58 on the above mentioned subject.

With reference to the above, the petitioner is informed that his request to set aside the order of the Range Forest Officer, Bilgi to vacate Forest Plot No.190 of Arkeri, it is regretted, cannot be granted.

sd/-

(S.V. Prabhu)
Under Secretary to Government,
Agriculture & Forest Department.

To

Shri Hanemantappa Siddamappa,
Watawati of Janamatti,
Taluk Bagalkot, District Bijapur.

Copy forwarded to the Chief Conservator of Forests in Mysore, Bangalore, for information, with ref.to his letter No. B3-229-2098/58, dated 9-12-58.

(S.V. Prabhu)
Under Secretary to Government,
Agriculture and Forest Department.

13/1/59

DV/13.1.

17

AFD 246 DS 58

OFFICE OF THE MINISTER FOR AGRICULTURE
No. 30 JAN 1959
BANGALORE

To

The Hon. Minister for Agriculture & Food,
Government of Mysore,
Bangalore.

AGRICULTURE & FOREST DEPTT.
273
JAN 1959
GOVERNMENT OF MYSORE

Respected Sir,

MYSORE GOVERNMENT SECRETARIAT
No. 1048
- 2 FEB 1959
FOREST BRANCH

Sub:- Application against the order of the Round Forest Officer, Bilgi to vacate Forest Plot No.190 of Arakeri.

I, Hanumanthappa Sidramappa Watawati of Janmatti, Taluka Bagalkot, Dist. Bijapur beg to lay the following few lines for favourable consideration.

I had submitted an application on 7-8-1958 to your honour, requesting to grant the plot in S.No.190 of Arkeri which I am cultivating at present on permanent basis.

Round Forest Officer, Bilgi has passed the order asking me to vacate the said land. It has been given to me on hangani Lavani on payment of an assessment since 1942. I will be put to untold hardship if the land is taken away from me, as I have no other land for the maintenance of my family. I have also spent Rs.5-6 thousand for the improvement of the land.

I therefore request you to kindly pass early orders to grant the land to me on permanant basis for which act of kindness I shall ever remain grateful.

Yours faithfully,

13-1-1959.

I would like to see the file before any orders are issued. Pl. put up file

Issued on 15/6/59

Orders issued on 14/5/59

18

AFD 246 DST 58

THE DEPUTY MINISTER FOR PUBLIC WORKS & ELCE. OFFICE OF
No. P. 394
14 MAY 1959

To

The Hon'ble Minister
for Agriculture and Forests,
BANGALORE.

MYSORE GOVERNMENT SECRETARIAT
No. 4678
14 MAY 1959
FOREST DIVISION

Min. for A & F.
W/es

Hon'ble Sir,

I, Hanamantappa Sidramappa Watawati o Janamatti, Potha Bilgi, District Bijapur, beg to submit the following few lines for your honour's kind and sympathetic consideration.

A Forest Plot bearing Plot No. 190 of Arakeri and measuring 16 acres was given by th Forest Department to my brother-in-law, Nilappa Girimallappa Dawali, in about the year 1942 on Hangami Lavani on annual assessment of Rs 8/-. Nilappa was living with me with his wife who was none else than my sister. About 6 months after the grant of the land, Nilappa left my house wit his wife and since then his whereabouts are not known. As a matter of fact, I was cultivating the land even when Nilappa was residing with me. After Nilappa went away from me, then Range Forest Officer Mr. Stalekar held a local enquiry and gave the land to me on Hangami Lavani on the same terms. Since then I have been in actual possession of the land and I am paying assessment of Rs 8/- to the Forest Department.

The entire plot was full of stones and thorny shrubs when it was given by the Forest Department. I had to put in huge amount of labour and invest large sum of Rs 5000-6000/- to bring the plot under cultivation. I have remove

I learn that Hon'ble Min. for A & F intends personally inspecting the said land. Now I am told that Range Forest Officer has issued an order that the possession of the lands should be delivered immediately. As can be seen in Para "A" the agriculturist has spent a good deal to bring the land under cultivation. His request deserves sympathetic consideration.

15/4

P.T.O

19

the stones and the shrubs from the entire plot. I have put up bunds on all sides. Besides, I have planted about 50 trees such as mango and neem trees and jungle wood trees. To my misfortune, the Range Forest Officer, Bagalkot has issued an order to vacate the land and hand over the same into the custody of the Forest Department. Some other plots out of this very area have been given to other persons on the same terms and conditions. But strangely, no such orders are issued against them. It has been a puzzle to me why such an eviction order has been issued against me only.

I submit again that I had to put in huge labour and invest large sums of money to convert the forest plot into a cultivable land. Great injustice would be done and irreperable loss would be caused to me if the land is snatched away from me. I own only 4 acres of land and I have a big family of 11 members to maintain The income from my own land, being small, can't be sufficient to maintain my family. Hence if the land in question is taken away from me, I and my family members will have to starve.

It might not be out of place if I mention here about the Food policy of our Central and State Governments. It has been the policy of Central and all State Governments to make our country self sufficient in food stuffs. There has been a regular propoganda of the Government Policy of " Grow More Food". I may be permitt to say that it would be inconsistent with the

I feel that telegraphic communication to inform the Range Forest Officer may be sent so as to avoid other inconveniences.

14/5

M. N. NAGHNOOR,
Dy. M., P. W. & Elect.

Min. & E
W/CS

Policy of the Government if the land is taken from me and allowed to lie as a useless forest area. What more injustice there should be when the land on which I have spent everything of mine is snatched away from my hands : For all these reasons, I humbly pray that the land should be given to me on permanent lease on " Hangamai Levani" after setting aside the order of the Range Forest Officer. Secondly, I pray that a stay order be issued immediately to the Range Forest Officer, Bagalkot or other concerned officers not to take possession of the land from me till this application is heard and decided.

14-5-1959.

I beg to remain,

Sir,

Your most obedient servant,

Address :-

Hanamantappa Sidramappa
Watavati, Post Kundargi,
Dist. Bijapur, At Janamatti.

Copy to the Deputy Minister
P.W.D.

21

9737
14/5/59 of the Dis. 27

To

MYSORE GOVERNMENT SECRETARIAT
No. 41679
14 MAY 1959
FOREST BRANCH

The Hon'ble Minister
for Agriculture and Forests,
BANGALORE.

Hon'ble Sir,

I, Hanamantappa Sidramappa Watawati of Janamatti, Petha Bilgi, District Bijapur, beg to submit the following few lines for your honour's kind and sympathetic consideration.

Pl. put up file
AFD. 246 Dec. 58
Minister.

A Forest Plot bearing Plot No. 190 of Arakeri and measuring 16 acres was given by the Forest Department to my brother-in-law, Nilappa Girimallappa Dawali, in about the year 1942 on Hangami Lavani on annual assessment of Rs 8/-. Nilappa was living with me with his wife who was none else than my sister. About 6 months after the grant of the land, Nilappa left my house with his wife and since then his whereabouts are not known. As a matter of fact, I was cultivating the land even when Nilappa was residing with me. After Nilappa went away from me, then Range Forest Officer Mr. Stalekar held a local enquiry and gave the land to me on Hangami Lavani on the same terms. Since then, I have been in actual possession of the land and I am paying assessment of Rs 8/- to the Forest Department.

14/5

Advice defend
see this.
14/5

The entire plot was full of stones and thorny shrubs when it was given by the Forest Department. I had to put in huge amount of labour and invest large sum of Rs 5000-6000/- to bring the plot under cultivation. I have removed

the stones and the shrubs from the entire plot. I have put up bunds on all sides. Besides , I have planted about 50 trees such as mango and neem trees and jungle wood trees. To my misfortune, the Range Forest Officer, Bagalkot has issued an order to vacate the land and hand over the same into the custody of the Forest Department. Some other plots out of this very area have been given to other persons on the same terms and conditions. But strangely, no such orders are issued against them. It has been a puzzle to me why such an eviction order has been issued against me only.

I submit again that I had to put in huge labour and invest large sums of money to convert the forest plot into a cultivable land. Great injustice would be done and irreperable loss would be caused to me if the land is snatched away from me. I own only 4 acres of land and I have a big family of 11 members to maintain. The income from my own land, being small, can't be sufficient to maintain my family. Hence if the land in question is taken away from me, I and my family members will have to starve.

It might not be out of place if I mention here about the Food policy of our Central and State Governments. It has been the policy of Central and all State Governments to make our country self sufficient in food stuffs. There has been a regular propoganda of the Government Policy of ." Grow More Food". I may be permitted to say that it would be inconsistent with the

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Policy of the Government if the land is taken from me and allowed to lie as a useless forest area. What more injustice there should be when the land on which I have spent everything of mine is snatched away from my lands : For all these reasons, I humbly pray that the land should be given to me on permanent lease or on " Hangami Lavani" after setting aside the order of the Range Forest Officer. Secondly, I pray that a stay order be issued immediately to the Range Forest Officer, Bagalkot or other concerned officers not to take possession of the land from me till this application is heard and decided.

14-5-1959.

I beg to remain,

Sir,

Your most obedient servant,

Address :-

Hanamantappa Sidramappa
Watavati, Post Kundargi,
Dist.Bijapur, At Janamatti.

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Appendix F. G.—1]

SUBJECT Request to set aside the order of the Range Forest Officer, Bilgi to vacate Forest plot No. 190 of Arkeri.

Diary No. of letter replied to .....

Section

File No. AFD 046 DST 58

Serial No. dt 14-5-59

Mysore Government Secretariat.

( )

the 195 .

No. OM

To ~~Sri Hanumanthappa Lidrar~~

Date of issue.....

Ref:- His petition dated 14-5-59 addressed to Govt. in the matter

Signed by.....

Received order OM [illegible]

Refer to the above, the petitioner is informed that necessary & suitable instr. have been issued to the Forest authorities not evict the petitioner from the land he is in possession at present and therefore he is directed to approach the forest authorities accordingly.

(X) Sri. Hanumanthappa Lidramappa Gratowati, At Kundarg. post: Dist. Bijapur

List of enclosures .....

Issued

Copied by..... 15/5/59

Examined by .....

14/5/59.

W-D 01787—GPB—PZS—100,000—10 2-58

P.T.O.

Copy to the CCJ Belgaum. He is informed that Govt desire that the applicant referred to above who is in possession of the land granted to him should not be evicted from his present possession pending a final decision. He is also requested to submit to Govt early a report in the matter after personal inspection by the CF Belgaum.

2) The C.F. Belgaum. He is directed to inspect the area personally and submit to Govt immediately a report in the matter direct.

D/S DCJ

14/5/52

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GOVERNMENT OF MYSORE

Mysore Government Secretariat,

N A 216 DST 58

Bangalore, dated 14th May 1959.

ENDORSEMENT

Sub:- Request to set aside the order of the Range Forest Officer, Bilgi to vacate Forest plot No.190 of Arkeri.

Ref:- His petition dated 14-5-59 addressed to Government in the matter.

....

With reference to the above, the petitioner is informed that necessary and suitable instructions have been issued to the Forest authorities not to evict the petitioner from the land he is in possession at present and therefore he is directed to approach the forest authorities accordingly.

sd/-

(P. Venkataraman)
Deputy Secretary to Government,
Agriculture & Forest Department

To
Sri Hanamanthappa Sidramappa Watavati,
at Janmatti, Post: Kundargi,
District Bijapur.

Copy to the Chief Conservator of Forests, Bangalore.
He is informed that Government desire that the applicant referred to above who is in possession of the land granted to him should not be evicted from his present possession pending a final decision. He is also requested to submit to Government early a report in the matter after personal inspection by the Conservator of Forests Belgaum.

p.t.o.

Cnn.14/5/59.

2. The Conservator of Forests, Belgaum. He is directed to inspect the area personally and submit to Government immediately a report in the matter direct.

(P. Venkataraman)
Deputy Secretary to Government,
Agriculture & Forest Department

Cnn.14/5/59.

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CHIEF CONSERVATOR'S OFFICE.

No.B3-282-1507/59 BANGALORE, DATED 13 DEC.60.

Cancel = one file + pet.

To

The Secretary to Government,
Agriculture & Forest Department,
BANGALORE.

Sir,

Sub:-Request to set aside the order of Round Officer, Bilgi to vacate forest plot No. 190 of Arkeri - petition of Sri Hanamanthappa Sidramappa, Watavati.

Ref:-Your No.AFD 246 DST 58 dated 14th May 1959.

...

I enclose a copy of letter No.FOP/GFL/4021/762/60-61 dated 22nd October 1960 from the Conservator of Forests, Belgaum Circle, along with the connected papers on the subject for perusal. In the circumstances reported therein, I have no objection to the grant of the area in question to the applicant as an inforest settlement plot. But for defying the Government orders all along, the party may be made to pay a fine of Rs.500/-

Orders of Government may kindly be issued early.

The application is returned herewith.

The records may be returned when done with.

Yours faithfully,

12/12

for CHIEF CONSERVATOR OF FORESTS.

A.K.

MYSORE GOVERNMENT SECRETARIAT
NO. 11898
FOREST BRANCH

Duplicate

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No.FOP/GFL/4021/762/60-61

Office of the
Conservator of Forests,
Belgaum Circle.

Belgaum, 22nd October, 1960.

To

The Chief Conservator of Forests
in Mysore, Bangalore.

Sir,

Subject:-Request to set aside the order of Round Officer, Bilgi to vacate Forest Plot No.190 of Arkeri.

With reference to Government Memo.No.AFD 246 DST 58 dated the 14th May, 1959 and your reference No.B-3/1137/59-60 dated 4-6-1959, I write to report as follows:

I have gone through the file in this office and also that in the office of the Sub-Divisional Forest Officer, Bagalkot and the history of this case in brief is given below.

An area of 16 acres in F.S.No.190 of Arkeri falling in coupe No.6 of F.S.No.IV. Bagalkot Range was granted on H.L. for cultivation, to one Sri.Neelappa Dhavalgi in the year 1940-41. The area was however being cultivated by Shri.H.S.Watwati, the relative of Shri.Dhavalgi and the applicant in the present case. Later on, it was reported that the lessee Shri.Dhavalgi had left the place and on the request of Shri.Watwati - the actual cultivator of the area - the lease was ordered to be transferred in the name of Shri.Watwati as per Conservator of Forests' order of October 1953. A fresh H.L. lease was got executed by Shri.Watwati on 11-1-1954 with a condition to the effect that the lessee should plant Neem and such other plants as prescribed by the Divisional Forest Officer so as to make up a maximum number of 10 trees per acre. The lease executed was in standard agreement Form No.9 which is enclosed herewith (Flag A). The mere fact the land was leased with the condition of planting trees above was misconstrued as the land having been leased on agri-silvi terms. Under this wrong impression, when the applicant and another person, Shri.Y.B.Burli by name and who was granted the adjoining area on agri-silvi terms, applied to the Government of Bombay for grant of the lands for pure cultivation and when that application was sent down for remarks, the then Sub-D.F.O., Bagalkot under his No.C/1152 dated 8/14-2-1955 reported that both the applicants (Shri.Watwati and Shri.Burli who were granted the areas on agri-silvi basis had failed to comply with the silvi side work in the areas leased to them and he recommended resumption of the areas back to this Department. Based on this report, the then Conservator of Forests, S.C. in his No.22/170/3675 dated 21/25-2-1955, recommended to Government as under:-

pop safe

> "Since it is reported that both the applicants have failed to plant and rear forest species in the areas granted to them, the undersigned recommends that the lease agreements may be terminated and the area resumed as it has been a common tendency to mis-use the agri-silvi terms. The requests of the applicants for grant of lands for pure cultivation is not recommended in view of G.R. A & F.D.No.FDM.1054 of 8-7-1954".

Thereupon, the Government of Bombay in their letter No.O/17742-E dated 15-3-1955 gave a reply to the applicants

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that their request for the continuance of the lease of forest land at Arkeri for cultivation could not be granted.

In this connection, it must be said here that unlike the terms on which the land leased to Shri.Burli, the land leased to Shri.Watwati was not on agri-silvi terms. If it were, the lease would have been got executed in Standard Agreement Form No.9A a copy of which is enclosed duly flagged B. Secondly it was not correct that Shri.Watwati had failed to fulfil the terms of his lease as is seen from the Range Forest Officer, Bagalkot's report No.698 dated 17-9-1954 (enclosed herewith in original Flag C) to the Sub-D.F.O., Bagalkot in which it was reported that the lessee had ~~granted~~ planted 505 Mango, Tamarind, Babul and Tugli trees and these were surviving. It is to be noted here that according to the terms of the lease, a maximum of 10 trees were to be planted. So, in this plot of 16 acres, it was sufficient if 160 trees were planted whereas actually 505 trees were planted. It cannot be said at this stage how the Sub-D.F.O., when the R.F.O's above report was on his office file, made a report dated 21-2-1955 (i.e. within 5 months of the R.F.O's report) that the lessee did not fulfil the terms of the lease. It is also seen from the Sub-D.F.O's diaries that he had not visited this area during the period from September 1954 to February 1955 i.e. after the date of the R.F.O's report and before the Sub-D.F.O's report.

Notwithstanding the Bombay Government's reply refusing his request to continue the area on lease and though he was asked to hand over the area back to this Department, the applicant failed to comply with the orders and on the contrary he continued to cultivate the area. The Round Officer, Bilgi therefore built up necessary offence case against the lessee in October 1955 which was however filed by the Sub-D.F.O., after warning the lessee. Further the lessees Watwati and Burli applied to the Government of Bombay for granting the areas after disforestment. Meanwhile, the cases of two (one of whom was Shri.Burli and the other was Shri.M.H.Naikar) who were granted lands on agri-silvi terms in the same S.No. i.e. Arkeri F.S.No.190 adjoining the plot held on H.L. by Shri.Watwati were recommended for being granted to them in pursuance of the Government of Bombay's orders in their letter A & F.D. No.FDM.1055/155607-E dated 14-1-1956 to the effect that the Agri-silvi lessees who have not observed the terms of the agreement should not be evicted but their grants should be regularised. In the list of cases so recommended by the Sub-D.F.O., for regularisation of the agri-silvi plots by converting into inforest settlement plots, Shri.Watwati's case was not included. When asked about this omission, the Sub-D.F.O., reported that the plot held by Shri.Watwati was on H.L. and not on Agri-Silvi and hence it was not included in the aforesaid list.

Thus the fact that the area was not granted on Agri-silvi terms but on H.L. having come to the notice of the Sub-D.F.O., subsequently, he while reporting on the applicant's request for grant of the plot to him permanently after disforestment, recommended its grant as inforest settlement plot. The Sub-D.F.O's report No. ~~G/1176 dated 25-2-1958~~ in this connection was submitted to the Chief Conservator of Forests under this office No.22/21/3508 dated 24/26-3-1958 (Flag I) upholding the Sub-D.F.O's recommendation so as to treat the applicants case on par with other two cases just referred to above. The Chief Conservator of Forests however, in his No.B-3/G1/25412/58 dated 17-5-1958, directed that action should be taken to resume the area as he considered it undesirable to regularise an irregular occupation which would only encourage others likewise. During 1957-58, it was also noticed that the lessee had encroached upon an area of about 2 acres in continuation of the 16 acres plot and

1 516 dated 9-8-57 (Flag H)

1 (Flag J)

31/41

and for that an offence case was made out and a compensation of Rs.10/- was recovered.

Pursuant to the Chief Conservator of Forests' directions to resume the area leased to Shri.Watwati, the Round Officer, Bilgi appears to have asked the lessee to vacate the plot. Thereupon, Shri.Watwati again approached Government of Mysore and in the report submitted to Government under No.B.3-229-2098/58 dated 9-12-1958, the Chief Conservator, apparently guided by the earlier reports on which the Bombay Government had refused the applicant's request, did not recommend. The Government in their endorsement No.AFD 246 DST 58 dated 15-1-1959 informed the applicant that his request to set aside the order of the R.O. Bilgi to vacate the plot cannot be granted.

Shri.Watwati again by his application dated 14-5-1959 (herewith resubmitted in original and flagged D) has approached Government to reconsider his case. It is with reference to this application that the Government in their No.AFD.246 DST 58 dated 14-5-1959 have directed not to evict the applicant pending final decision and to submit a report after personal inspection of the plot by the Conservator of Forests.

p35 Ant

Accordingly, the area is continued to be in possession of the applicant. I also visited the area on 7-10-1960 and my observations are as follows:-

(i) As seen from the accompanying sketch(Flag E) that the area is surrounded on its 3 sides by malki lands, (p 43/2)

(ii) None of the plants plated is surviving now.

This is perhaps more due to advertise conditions.

(iii) The applicant might have spent about Rs.1600/- @ Rs.100/- per acre to make the land fit for cultivation. The applicant's say that he had to invest a large sum of 5 to 6 thousand rupees (vide his application dated 14-5-1959) seems to be exaggerated, since he had in one of his earlier applications stated that he spent Rs.3200/- (vide his application dated 15-3-1955 obtained from the Sub-D.F.O's file and submitted herewith in original flagged F).

(iv) The applicant owns 4 acres of land nearby. So granting this 16 acres of plot will not be within economic holding on the principles laid down in Government of Bombay, Resolution No.RND.3953-V-B dated 20-8-1954 read with G.R.R.D.No.L.N.D.3955/97031 dated 20-10-1955,

(v) The applicant's requests all along have not been considered only guided by the Bombay Government's decision based on the initial reports which as stated above did not convey the correct position.

(vi) The applicant has been cultivating the area even prior to the transfer of the lease in his name in 1954.

(vii) He has encroached upon an area of 1 acre 20 guntas and the Sub-D.F.O., has been asked to take needful action against the applicant.

Even though the grant of the 16 acres plot to the applicant will be in excess of the economic holding, I am inclined to recommend its grant as an Inforest cultivation plot in view of the following considerations -

(i) The initial grant of the land was bonafide and unobjectionable.

(ii) The applicant has been cultivating the land for more than 10 years.

(iii) He has carried out permanent improvements of substantial value on the land.

(iv) Undue hardship will be caused to him by depriving him of the land at this stage.

(v) The area is surrounded on its 3 sides by Malki lands and two adjoining plots are leased as inforest cultivation plots.

(vi) He is a bonafide agriculturist.

Yours faithfully,

(D.Nanjundappa)
Conservator of Forests,
Belgaum Circle.

Enclosures:-

1. H.L. lease executed by Shri.Watwati.
2. Standard Agreement Form No.9A.
3. Range Forest Officer, Bagalkot's report No.698 dated 17-9-1954.
4. Shri.Watwati's application dated 14-5-1959.
5. Sketch of the area under reference.
6. Shri.Watwate's application dated 15-3-1955.
7. Extract from G.Rs., flag G.
8. Report No.C/516 dated 9-8-1957 from the Sub-D.F.O., Bagalkot Flag H.
9. Conservator of Forests, Belgaum's letter No.C/22/21/3508 dated 24/26-3-1958 - flag I.
10. Chief Conservator of Forests' letter No.B.3/G1/25412/58 dated 17-5-1958 flag J.

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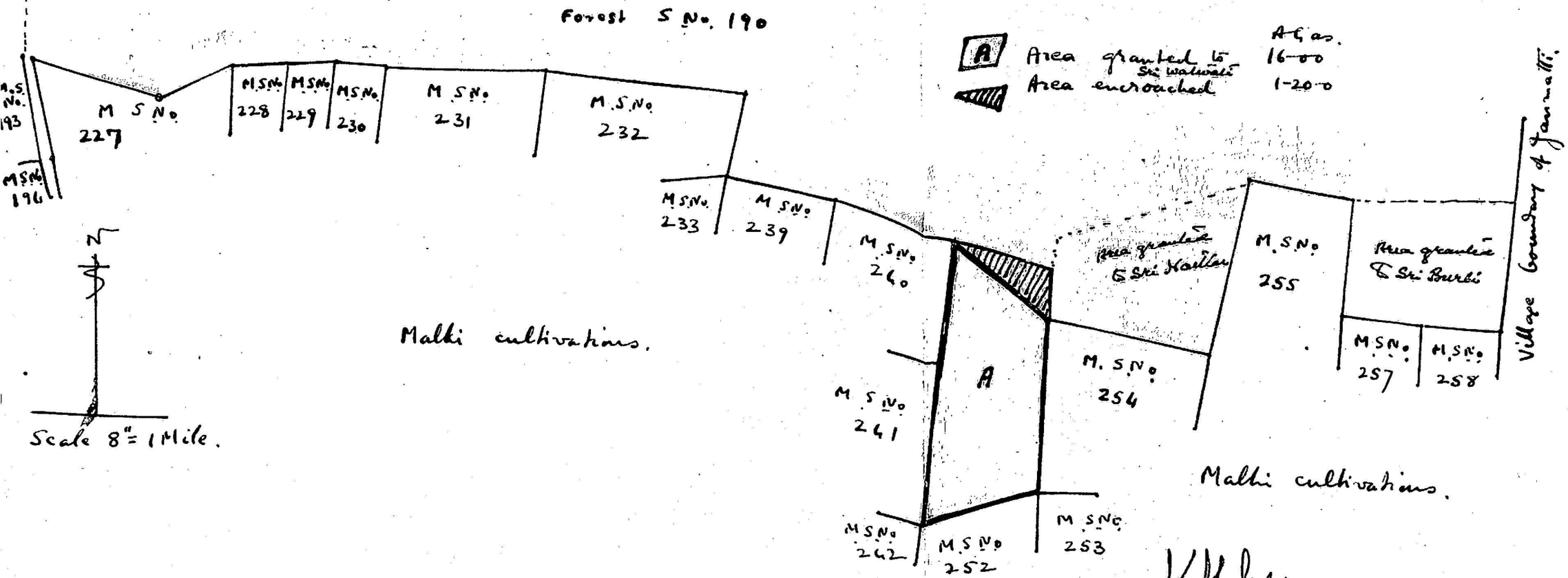
Sketch showing the area granted to Shri. H.S. Watawati of Jamnatti out of Forest S.No. 190 of Arkeri for cultivation and the area encroached by him.



Forest Surveyor,
Bagalkot Sub Dn.

Sub-Divl. Forest Officer
BAGALKOT.

Government Resolutions regarding grant of lands.

I. Government of Bombay, Agriculture and Forest Department Resolution No.FDM.1055 dated 3-10-1955 directed that the forest areas granted for cultivation on agri-silvi basis to the schedule tribes, schedule castes and other tribes of nomadic type and which are under cultivation since the last 3 years or more should be converted as Inforest cultivation plots provided:-

i) the lands are situated in open forest,

ii) the conversion of these lands does not offend the objective of soil conservation,

iii) the trees so far planted are preserved and will be the property of Government,

iv) the plot holders are otherwise land-less; and

v) the plot holders shall abide the terms and conditions of the lease and will render assistance to the Forest Department in detection of forest offences and in extinguishing forest fires.

If the aforesaid conditions are not satisfied and the cultivator has, therefore to be evicted, his case should be reported to the Chief Conserv ator of Forests with full facts of the case, for final decision.

II. Government of Bombay, A & F. D. Letter No.FDM.1055/155607-B dated 14-1-1956 directed that the agri-silvi lessees coming under the purv iew of the above quoted G.R. dated 3-10-1955, should not be evicted even if they have not observed all the terms of the agreement, but their grants should be regularised, provided they have been continuously in occupation of the lands for the last 3 years.

III. Government of Bombay, A & F.D. letter No.FLD.1055/50399-B dated 4-12-1956 directed that the orders contained in Government Resolution No.FDM.1055 dated 3-10-1955 should be extended in the case of other Backward class persons who are landless and that the landless advance class cultivators may be continued in occupation of their land on the terms and conditions contained in the G.R. of 3-10-1955

and

as regards the lessees belonging to backward and advance classes who possess land, the principles of economic holdings as laid down in G.R.R.D. No.LND 3953-V-B dated 20-8-1954 read with G.R.R.D. No.LND.3955/97031 dated 20-10-1955 should be applied and their cases decided accordingly.

These orders which were issued by Bombay Governmenent after the date of reorganisation of States are confirmed under Government of Mysore Order No.AFD 73 DAR 57 dated 25-4-1957

IV. G.R.R.D.No.LND.3953-V-B dated 20-8-1954 as amended by G.R.R.D.No.LND 3955/97031 dated 20-10-1955.

Para 9(a).No grant of land, either permanently or temporarily, should be made which would bring the holding of a person in excess of the economic holding except in cases where the lands under para 3(ii) and 4(e) of the Resolution.

(b) For the purposes of this Resolution, an ecohomic holding should be as prescribed in the Bombay Tenancy and Agri Land (Amendment) Bill of 1955 viz.,

16 acres of jirayat land, or
8 " of seasonally irrigated land or paddy or rice land, or
4 acres perennially irrigated land.

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Explanation - Where the land held by a person consists of two or more of the kinds of lands specified above, the area of economic holding shall be determined on the basis that one acre of perennially irrigated land is equal to two acres of seasonally irrigated or paddy or rice land or 4 acres of jirayat land.

Para 12:- In cases where a lessee is not eligible for the permanent grant of land in accordance with the orders contained in this Resolution, the land should be granted to the existing lessees only if the following conditions are satisfied:-

i) that the lessee is a bonafide agriculturist;

ii) that the lessee has cultivated the land (on eksali basis) for 3 years or more

iii) that he has taken soil conservation measures provided he was asked in writing to do so by the officers concerned,

iv) that the initial grant of the land was bonafide and unobjectionable,

v) that his total holding does not exceed that of an economic holding calculated in accordance with para 9 of this Resolution if the land is granted.

However if the lessee has carried out permanent improvements of substantial value, the land may be granted to him even if it is more than an economic holding. } Deleted as per G.R. dated 20-10-55.

Letter No.C/5/6 of 1957-58 dated 9-8-1957 from the Sub-Divisional Forest Officer Bagalkot to the Conservator of Forests, Belgaum Circle, Belgaum.

.....

Subject:-Disforestation of S.No.190 of Arkeri.

Reference:-Your No.22/21/11813/dated 9-11-1956

As stated in this office No. C/1152 dated 8/14 2-1955, the area of 16 acres in Arkeri F.S.No.190 falling in coupe No. 6 of F.S.IV - Bagalkot Range - was originally granted to one Shri Neelappa Dhavalgi in the year 1940-41 for cultivation on H.L.Subsequently this lease was transferred in the name of Shri H.S.Watwati - kindly vide correspondence resting with your No.22/34/9175 dated 28-10-1953 and Shri.Watwati was allowed to continue the land which he was already cultivating since the date the original lessee left Nanmatti. A condition to the effect that Shri Watwati should plant Neem or such other trees as prescribed by the Divisional Forest Officer to make up a maximum No.of ten trees per acre including the trees already reserved was inserted in the lease got executed by Shri Watwati on 11-1-1954.

2. It is reported that the lessee has brought the land under proper cultivation and has incurred an amount of Rs.3200/-. He has also planted 40 trees of Neem and Mango on the boundary of the area of which 4 Mango trees are planted in the plot. He has also encroached an area of 2 acres.

3. The undersigned is not in favour of recommending the request of Shri Watwati for granting the land - permanently, but recommends to get the area converted into Inforest Settlement plot for the reasons enumerated below:-

(i) The percentage of forests in Bijapur District is awefully less and as such, the undersigned is not prepared to part with the land permanently as it would be necessary from forest conservation point of view.

(ii) There are two other lessees who have been granted the adjoining area on Agri-Silvi in the same Sy.No. and their cases are under consideration to get the area converted into Inforest Settlement plot. Thus it does not appear preper to get some area converted into Inforest Settlement plots and to disforest the adjoining area and grant it - permanently from one and the same Sy.No.

(iii) With the main idea of forest conservancy, a clause to plant trees has been inserted in the lease got executed by Shri Watwati though the area is granted on H.L.for cultivation. The Government in their letter A.& F.D.No. FDM.1055/155607-E dated 14-1-1956 have directed that the Agri-Silvi lessees who have not observed all the terms of the agreement, should not be evicted but their grant should be regularised, provided they have been continuously in

in occupation of thelands for the last 3 years. In view of this policy followed by Government, the case of Shri Watwati though on H.L.may also be viewed similamly. Though the lessee - Shri Watwati - has executed the lease on 11-1-1954, he has been in continuous occupation of the land for the past 3 years prior to 3-10-1955 as could be seen from the enquiry papers. However, in this connection, Mahalkari, Bilgi's No.LWLSR-337 dated 16-12-1953 is reproduced below(page 62 of the enclosed case):-

"R.W.Cs.

2. The enquiry with the villagers of Janmatti shows that Shri Neelappa Girimallapa Dhavalgi left the village Janmatti about 7-8 years back and that Shri Hanamappa Siramappa Watwati of Janmatti has been cultivating 16 acres out of forest S.No. 190 of Arkeri since then. The statement of the villagers of Janmatti given to the above effect is enclosed. There seems no objection to allow the present man to cultivate the said land."

(iv) Shri Watwati has spent large amount to the extent of Rs. 3200/- to bring the land under cultivation and has improved the land by removing stones, and erecting bund. It is also reported that he owns 4 acres land of his own and has 10 members in his family. Thus his present holding is within the economic holding and if the area of 16 acres is granted to him, the same would still be within the economic holding as he has 10 members and is entitled to 32 acres."

4. For the reasons stated above, it is recommended that the land granted to Shri Watwati may be converted into Inforest settlement plot provided he is prepared to abide by the conditions contained in G.R.A. & F.D.No.FDM.1055 of 3-10-1955.

5. I am taking steps separately to deal with the encreachment and orders are being issued to resume the - encroached area as this encroachment does not fall within the purview of G.R.A. & F.D.No.FDM.1054 dated 7-3-1955.

6. Accompaniments received with your above reference are resubmitted herewith.

Sd/- * * * * *
For-Sub-Divisional Forest Officer,
Bangalkot

Enclosures:-

1) File (pages 1 to 80) containing lease executed by Shri Watwati.

2) Application dated 17-2-56 together with the statement of villagers.

3) This office Nos. C/1085 and C/1152 dated 2-7-56 and 8/14-2-55 respectively.

.....

"C O P Y"

D. Ranjundappa
Conservator of Forests, B.C.

NRK.21.10.

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Letter No.22/21/3508 of 1957-58 dated 24/26-3-58 from the Conservator of Forests, Belgaum Circle to the Chief Conservator of Forests In Mysore, Bangalore.

*****

Subject:-Disafforestation of S.No.190 of Arkeri, Taluka Bagalkot.

Reference:-Chief Conservator of Forests, B.S. Poona's No.D/17/SC/A/245 of 7-4-1956.

In s-ubmitting herewith the correspondence ending with the Sub-Divisional Forest Officer Bagalkot's N-o. C/1176 of 25-2-1958 I have to report that an area of 16 acres in F.S.No. 190 of Arkeri falling in coupe No. 6 of F.S.No.IV-Bagalkot Range was originally granted on H.L. for cultivation to one Shri Neelappa Dhavalgi in the year 1940-41. The area was being cultivated by Shri H .S.Watwati. It was reported that the lessee had left Janmatti and hence the lease was ordered to be transforred under this office No.22/34/9175 of 28-10-1953 in the name of the actual cultivator Shri H.S.Watwati. While getting the lease executed from Shri Watawati in 1954, a condition to the effect that the lessee should plant Neem and such other plants as to make up the maximum number of ten trees per acre, was inserted in the lease.

2. The applicant had previously requested the Government of Bombay to continue the lease of the land for cultivation. Since the applicant did not plant and rear trees as per the terms of the lease, the area granted to him was recommended for resumption. Accordingly the Government of Bombay in their letter No.O/17742-E of 15-3-1955 (copy enclosed) negatived the request of the applicant to continue the lease of the land.

3. It has now been reported by the Sub-Divisional Forest Officer Bagalkot in his No.C/931 of 20-12-1957 (p.93) that Shri H.S.Watwati was communicated the orders of the Government to hand over the area back to this Department. As he failed to comply with the orders, necessary offence papers for the unauthorised occupation of the land was drawn up, and the offence papers were filed by the Sub-Divisional Forest Officer by warning the lessee.

4. The Sub-Divisional Forest Officer in his No. C/516 of 9-8-1957 has reported that the applicant has brought the area under cultivation after spending an amount of Rs.3200/-. It has also been reported that the applicant has planted 40 Neem and Mango trees on the boundary of the area of which 4 Mango trees are planted in the plot. He (lessee) has also encroached upon an area of 2 acres. The sub-Divisional Forest Officer recommends that the lease of the area may be converted into inforest settlement for the reasons reported in para 3 of his No.C/516 of 9-8-1957 (P.85). Government may therefore kindly be moved to issue necessary orders in the matter.

5. The application and the offence papers (pages 1 to 6) are sent herewith.

*****

Copy forwarded to the Sub-Divisional Forest Office Bagalkot with reference to his No.C/1176 of 25-2-1958 for information.

NRK.21.10 "COPY"

Letter No.B3/G1/25412/58 dated 17-5-1958 from the Chief Conservator of Forests in Mysore, Bangalore to the Conservator of Forests Belgaum

.....

Subject:-Disafforestation of S.No.190 of Arkeri, Bagalkot Taluka.

Reference:-Your letter No.22/21/3508 dated the 26th March 1958.

The Government of Bombay have already negatived the requested of the applicant to continue the lease of the land. Action should have been taken accordingly immediately after receipt of Government order and the lessee should not have been permitted to continue. This seems to be one of many cases wherein orders of Government of Bombay passed just prior to reorganisation have not been enforced and recommendation ~~have-not-have~~ now made to set aside the previous orders of the Government of Bombay. Action should be taken to resume the area as per the above order, as it is not desirable to regularise an irregular occupation which will only encourage others to do likewise.

The case papers are returned herewith.

.....o.....

"COPY"

D. Ranjundappa
Conservator of Forests, B.C.

NRK.21.10.

M. G. S. App. F VI—G. 2]

53

40

SUBJECT: Release of land - an area of 16 Acres in S. No. 190 of Arakere falling in Compt. No. 6 of S. No. IV - Bagalkot Range in favour of Sri. Hanumanthappa Sidramappa Watavathi as "an forest Settlement plot".

Diary No. of letter replied to..... Section

Serial No.

Mysore Government Secretariat

File No.

( )

the 196 .

Proceedings of the Government of Mysore

Issued

Date of issue 08 FEB 1962 196

Read—

Signed by p. 13 c/f

1) Letter No. B3-229-2098/58 of 9-12-58 of the cf.

2) Correspondence ending with Letter No. B3-282-1509/59 of 13-12-60 of the cf.

May this be—

(i) printed?

(ii) treated as a Standing Order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette, Kannada Part?

p. 32 c/f

Order thereon—No.

—o—

Order

No. AFD 246 PST 58 of 08 FEB 1962

The cf vide ~~Ref (1) above~~ has ~~stated~~ intimated that an

area of 16 Acres in
F.S. No. 190 of Arakeri
falling in Coupe No.
6 of F.S. No. IV Bagalkot
Range was originally granted
on Hangami lease for
cultivation. Subsequently
the lease was transferred
in the name of ~~the Actual~~
~~Cultivator~~ Sri. H.S. Watwati
the present applicant in
1953 ~~who~~ as he was actually
cultivating the land of
the original lessee ~~having~~ who had then
left the place. At the
time of executing the lease
from the applicant Sri.
H.S. Watwati, a condition
was added to the effect
that the lessee should plant

List of Enclosures.

Copied by

Examined by

M. G. S. App. F VI—G. 2]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Mysore Government Secretariat

( )
the 196 .

Date of issue.....196.

Signed by.....

May this be—
(i) printed?
(ii) treated as a Standing Order?
(iii) published in the Gazette, English Part?
(iv) translated?
(v) placed at the disposal of the Press?
(vi) published in the Gazette, Kannada Part?

Section

Serial No.

File No.

Proceedings of the Government of Mysore

— 3 —

Read— Recm 1 Such other ~~plants~~ trees to make the maximum number of 60 trees per Acre. Since the Applicant did not rear trees as per the terms of the lease, the Hon'ble Govr. of Bombay were pleased to order the Applicant to vacate the area with a warning to the lessee.

Order thereon—No.

2) The CCF ~~under ref. (2) above~~ has ~~for~~ on reconsideration of the request of Sri S.S. Watawati recommended for grant of ~~land~~ 10 Acres of land in S.No. 190 of Arakeri in Bijapur Dr., to Sri. H.S. Watwati for cultivation as "Inforest Settlement plot". Also, for defying the G.O.s all along, the party viz: Sri. H.S. Watwati CCF has recommended, may be made to pay a fine of Rs. 500/-

3) After careful consideration, Govt. ~~are~~ pleased to order

List of Enclosures. be made to pay a fine of Rs 500/- for the party wrongly obtained the order of eviction all along.

Copied by

Examined by

44

[G. S. App. F VI—G. 2]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section

Serial No.

File No.

Mysore Government Secretariat

( )

the 196

Date of issue.....196

Signed by.....

Proceedings of the Government of Mysore

Read—

Order thereon.—No.

Direct that ~~the release of~~ an Area of 10 Acres out of 7 S. No. 190 of Arakeri, Bijapur Dr., be granted as 'In Forest Settlement plot' & the area surrendered to Rd for being assigned in favour of Sri. H. S. Watwati subject ~~after fulfilling~~ usual terms & conditions as are in force.

May this be—

(i) printed?

(ii) treated as a Standing Order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette, Kannada Part?

Write payment of fine of Rs 500/- for deposit to Government

Before the area is actually surrendered to R.O. the Mahni, if any, standing on the above area should be removed by the Forest Deptt.

Also, a fine of Rs. 5000/- (Rs. in words) may be recovered from Sri. H.S. Coatwati for defying the GOS all along.

The C.C.F. is requested to take further action and in the matter & submit requisite Ofr. notifn for publication in the Mysore Gazette.

List of Enclosures

Copied by

Examined by

P.G.

all A AF

46

M. G. S. App. F VI—G. 2]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Mysore Government Secretariat

( )

the 196 .

Date of issue.....196 .

Signed by.....

May this be—

(i) printed?

(ii) treated as a Standing Order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette, Kannada Part?

Section

Serial No.

File No.

Proceedings of the Government of Mysore

Read—

6

ccf (with records)

Divl Comr, Bgm

DC, Bijapur

C.F, Bgm

Order thereon.—No.

R.D

10/4

OR

13/2/02

2/4/2

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

Subject:- Release of land - an area of 16 acres in F.S. No.190 of Arakeri falling in coupe No.6 of F.S.No.IV - Bagalkot Range in Favour of Shri Hanumanthappa Gidramappa Watavathi as "In Forest ~~xxx~~ Settlement Plot".

AGRICULTURE & FOREST DEPARTMENT.

G.O.NO.AFD 248 FOT 58, BANGALORE, DATED, 28 FEB 1962

Read:-

Correspondence ending with letter No.R3-232-1507/59, dated the 13th December 1960 of the Chief Conservator of Forests in Mysore, Bangalore.

ORDER

The Chief Conservator of Forests has reported that an area of 16 Acres in F.S.No.190 of Arakeri falling in Coupe No.6 of F.S.No.IV, Bagalkot Range was originally granted on Mangami lease for cultivation. Subsequently the lease was transferred in the name of Shri H.S. Watwati the present applicant in 1933 as he was actually cultivating the land and the original lessee who had then left the place. At the time of executing the lease from the applicant Shri H.S. Watwati, a condition was added to the effect that the lessee should plant neem and such other trees to make the maximum number of 10 trees per acre. Since the applicant did not rear trees as per the terms of the lease the then Government of Bombay were pleased to order the applicant to vacate the area.

2. The Chief Conservator of Forests on reconsideration of the request of Shri H.S. Watawati has recommended for grant of 16 Acres of land in F.S.No.190 of Arakeri in Bijapur District to Sri H.S. Watavati for cultivation as "In forest settlement plot" with the stipulation that the party may be made to pay a fine of Rs.500/- for defying the orders of eviction all along.

3. After careful consideration, Government direct that an area of 16 acres out of F.S.No.190 of of Arakeri, Bijapur District be granted as 'In ForestSettlement Plot' in favour of Shri H.S. Watavati subject to the payment of fine of Rs.500/- for defying the Government orders.

4. The Chief Conservator of Forests is requested to take further action accordingly in the matter.

By order and in the name of the Government of Mysore,

(S.V. Prabhu)
Under Secretary to Government,
Agriculture & Forest Department.

To

The Chief Conservator of Forests in Mysore, Bangalore, (with records),
The Divisional Commissioner, Belgaum,
The Deputy Commissioner, Bijapur,
The Conservator of Forests, Belgaum,
The Revenue Department,
The Weekly Gazette.

KTK/R1

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

Subject:- Release of land - an area of 16 acres in F.S. No.190 of Arakeri falling in coupe No.6 of F.S.No.IV - Bagalkot Range in Favour of Shri Hanumanthappa Nidramappa Watavathi as "In Forest ~~xxx~~ Settlement Plot".

AGRICULTURE & FOREST DEPARTMENT.

G.O.NO.AFD 246 RST 58, BANGALORE, DATED, 28 FEB 1962

Read:-

Correspondence ending with letter No.RS-282-1507/59, dated the 13th December 1960 of the Chief Conservator of Forests in Mysore, Bangalore.

ORDER

The Chief Conservator of Forests has reported that an area of 16 Acres in F.S.No.190 of Arakeri falling in Coupe No.6 of F.S.No.IV, Bagalkot Range was originally granted on Mangami lease for cultivation. Subsequently the lease was transferred in the name of Shri H.S. Watwati the present applicant in 1933 as he was actually cultivating the land and the original lessee who had then left the place. At the time of executing the lease from the applicant Shri H.S. Watwati, a condition was added to the effect that the lessee should plant neem and such other trees to make the maximum number of 10 trees per acre. Since the applicant did not rear trees as per the terms of the lease the then Government of Bombay were pleased to order the applicant to vacate the area.

2. The Chief Conservator of Forests on reconsideration of the request of Shri H.S. Watwati has recommended for grant of 16 Acres of land in F.S.No.190 of Arakeri in Bijapur District to Sri H.S. Watavati for cultivation as "In forest settlement plot" with the stipulation that the party may be made to pay a fine of Rs.500/- for defying the orders of eviction all along.

3. After careful consideration, Government direct that an area of 16 acres out of F.S.No.190 of of Arakeri, Bijapur District be granted as 'In ForestSettlement Plot' in favour of Shri H.S. Watavati subject to the payment of fine of Rs.500/- for defying the Government orders.

4. The Chief Conservator of Forests is requested to take further action accordingly in the matter.

By order and in the name of the
Government of Mysore,

(S.V. Prabhu)
Under Secretary to Government,
Agriculture & Forest Department.

To

The Chief Conservator of Forests in Mysore, Bangalore, (with records),
The Divisional Commissioner, Belgaum,
The Deputy Commissioner, Bijapur,
The Conservator of Forests, Belgaum,
The Revenue Department,
The Weekly Gazette.

KTK/21

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

Subject:- Release of land - an area of 16 acres in F.S. No.190 of Arakeri falling in coupe No.6 of F.S.No.IV - Bagalkot Range in Favour of Shri Hanumanthappa Sidramappa Watavathi as "In Forest Settlement Plot".

AGRICULTURE & FOREST DEPARTMENT.

G.O.NO.AFD 246 FRT 62, BANGALORE, DATED, 28 FEB 1962

Read:-
Correspondence ending with letter No.RS-232-1507/59, dated the 13th December 1960 of the Chief Conservator of Forests in Mysore, Bangalore.

ORDER

The Chief Conservator of Forests has reported that an area of 16 Acres in F.S.No.190 of Arakeri falling in Coupe No.6 of F.S.No.IV, Bagalkot Range was originally granted on Mangami lease for cultivation. Subsequently the lease was transferred in the name of Shri H.S. Watwati the present applicant in 1953 as he was actually cultivating the land and the original lessee who had then left the place. At the time of executing the lease from the applicant Shri H.S. Watwati, a condition was added to the effect that the lessee should plant neem and such other trees to make the maximum number of 10 trees per acre. Since the applicant did not rear trees as per the terms of the lease the then Government of Bombay were pleased to order the applicant to vacate the area.

2. The Chief Conservator of Forests on reconsideration of the request of Shri H.S. Watawati has recommended for grant of 16 Acres of land in F.S.No.190 of Arakeri in Bijapur District to Sri H.S. Watawati for cultivation as "In forest settlement plot" with the stipulation that the party may be made to pay a fine of Rs.500/- for defying the orders of eviction all along.

3. After careful consideration, Government direct that an area of 16 acres out of F.S.No.190 of of Arakeri, Bijapur District be granted as 'In ForestSettlement Plot' in favour of Shri H.S. Watavati subject to the payment of fine of Rs.500/- for defying the Government orders.

4. The Chief Conservator of Forests is requested to take further action accordingly in the matter.

By order and in the name of the Government of Mysore,

(S.V. Prabhu)
Under Secretary to Government,
Agriculture & Forest Department.

To
The Chief Conservator of Forests in Mysore, Bangalore, (with records),
The Divisional Commissioner, Belgaum,
The Deputy Commissioner, Bijapur,
The Conservator of Forests, Belgaum,
The Revenue Department,
The Weekly Gazette.

KTK/21